

# Commonwealth of Massachusetts

SUFFOLK, ss.



SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT  
CIVIL ACTION

No. 04-1191E

Steven Horne, et al., Plaintiff(s)

v.

City of Boston, et als., Defendant(s)

## SUMMONS

To the above-named Defendant: City of Boston

You are hereby summoned and required to serve upon Stephen A. Roach, Roach & Wise, LLP

plaintiff's attorney, whose address is 31 State Street, Boston, MA 02109, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also required to file your answer to the complaint in the office of the Clerk of this court at Boston either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.

Witness, Suzanne V. DeVecchio, Esquire, at Boston, the 19th day of March, in the year of our Lord two thousand four.

*Michael Joseph Donovan*  
Clerk/Magistrate

### NOTES

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.
3. TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED  
(1) TORT (2) MOTOR VEHICLE TORT (3) CONTRACT (4) EQUITABLE RELIEF (5) OTHER



Suffolk, ss.

May 3, 2004

I hereby certify and return that on 3/22/2004 at 8:55:00 AM I served a true and attested copy of the Summons, Complaint and Cover Sheet in this action in the following manner: To wit, by delivering in hand to E.Beecham, agent, person in charge at the time of service for Boston, City of, at , One City Hall Plaza, Room 615, Boston, MA. Basic Service Fee (IH) (\$30.00), Travel (\$1.00), Postage and Handling (\$1.00), Attest/Copies (\$5.00) Total Charges \$37.00

Deputy Sheriff George Slyva

*[Signature]*  
 Deputy Sheriff

**N.B. TO PROCESS SERVER:-**

PLEASE PLACE DATE YOU MAKE SERVICE ON DEFENDANT IN THIS BOX ON THE ORIGINAL AND ON COPY SERVED ON DEFENDANT.

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0406328

**Commonwealth of Massachusetts**

SUFFOLK, ss.

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City of Bostn, et als. , Deft(s).

**SUMMONS**

(Mass. R. Civ. P. 4)

(AFFIX FILING STAMP HERE)